

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2014-108046-001 DT

08/22/2014

COMMISSIONER BRIAN D. KAISER

CLERK OF THE COURT
D. Pico/K. L. Johnson
Deputy

STATE OF ARIZONA

KATE M BOEHM

v.

STEVEN WILLIAM PHELPS (001)
DOB: 05/17/1969

KATHY M O'QUINN

APO-SENTENCINGS-CCC
APPEALS-CCC
DISPOSITION CLERK-CSC
PRETRIAL SERVICES AGENCY-CCC
RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:35 a.m.

State's Attorney:	Aaron Harder for Kate Boehm
Defendant's Attorney:	Kathy O'Quinn
Defendant:	Present
Court Reporter:	Lydia Estrada-Gray

Count(s) 1 & 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 Possession or Use of Dangerous Drugs
Class 4 Felony

A.R.S. § 13-3401, 13-3407, 13-3415, 13-3418, 13-901.01(D), 13-901.01(H)(4), 13-701, 13-702, 13-801

Date of Offense: 02/18/2014

Non Dangerous - Non Repetitive

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OFFENSE: Count 2 Unlawful Flight from Law Enforcement Vehicle
Class 5 Felony
A.R.S. § 28-622.01, 28-624(C), 28-3001, 28-3304, 28-3305, 28-3315, 13-701, 13-702,
13-801

Date of Offense: 02/18/2014
Non Dangerous - Non Repetitive

The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 1 Probation Term: 2 years

To begin 08/22/2014.

Count 2 Probation Term: 2 years

To begin 08/22/2014.

IT IS ORDERED that probation in Counts 1 & 2 shall run concurrently.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 1 - \$65.00 per month, beginning 10/01/2014.

FINE: Count 1 - Total amount of \$1,830.00, which includes surcharges of 83%, payable \$40.00 per month beginning 10/01/2014.

PROBATION SURCHARGE: Count 1 - \$20.00 payable on 10/01/2014.

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Count 1: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 10/01/2014.

PENALTY ASSESSMENT - A.R.S. §12-116.04: Count 1 - \$13.00 payable on 10/01/2014.

Investigative Agency:

Phoenix Police Department

Count 1: \$15.00 to the Technical Registration Fund payable on 10/01/2014.

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 17 - Count 1: Complete a total of 360 hours of community restitution. Complete a set number of hours per month as directed in writing by APD. Complete hours at a site approved by the APD.

Condition 18 - Count 2: Be incarcerated in the county jail for 90 day(s), beginning 05/22/2015 with credit for 0 day(s) served.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

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IT IS ORDERED granting the Motion to Dismiss the following: Count 3 and allegation of prior felony convictions.

Count(s) 2: Term #18 is a deferred jail term.

IT IS ORDERED setting a Review Hearing regarding the deferred jail term on 05/22/2015 at 8:30 a.m. before this division.

9:45 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER BRIAN D. KAISER
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)